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LUCENT TECHNOLOGIES INC. AND ALCATEL-  
LUCENT, S.A.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SANDISK CORPORATION,

Plaintiff,

vs.

LUCENT TECHNOLOGIES INC. and  
ALCATEL-LUCENT, S.A.,

Defendants.

AND RELATED COUNTERCLAIM

Case No.: C 07 03618 JF

JOINT SUPPLEMENTAL CASE  
MANAGEMENT STATEMENT

Date: January 25, 2008  
Time: 9:00 a.m.  
Location: Courtroom 3  
Judge: Hon. Jeremy Fogel

SanDisk Corporation ("SanDisk") and Lucent Technologies and Alcatel-Lucent,  
S.A. (collectively "Lucent") hereby jointly submit this Supplemental Case Management  
Statement in preparation for the January 25, 2008 Continued Case Management Conference.

A/72390542.1/3002631-0000326417

On November 21, 2007, SanDisk and Lucent filed a Joint Case Management Statement Pursuant To Federal Rule Of Civil Procedure 26(f).

On November 30, 2007, SanDisk and Lucent appeared for hearings on SanDisk's Motion for Summary Judgment and SanDisk's Motion to Dismiss Lucent's Counterclaim. The Court heard argument and took these motions under submission. The Court further requested that the parties meet and confer regarding whether they could agree on the terms of a consensual stay of this case pending the appeal of *Lucent Technologies Inc. v. Gateway, Inc. et al.*, Case No. 02CV2060, LEXIS U.S. Dist. LEXIS 57135 (S.D. Cal. Aug. 6, 2007) (the "*Microsoft* case"), that is currently before the Federal Circuit. The Court also continued the Case Management Conference to January 25, 2008.

The parties met and conferred, but were unable to reach an agreement. On December 7, 2007, the parties separately filed statements regarding the parties' attempts to agree on the terms of a consensual stay. *See* SanDisk Corporation's Report Following November 30, 2007 Hearing, *see also* Lucent's Supplemental Case Management Statement.

Other than as discussed herein, the parties have no changes to the November 21, 2007 Joint Case Management Statement.

DATED: January 18, 2008

Bingham McCutchen LLP

By: /s/ Gregory L. Lippetz  
Gregory L. Lippetz  
Attorneys for Plaintiff/Counter-Defendant  
SanDisk Corporation

DATED: January 18, 2008

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By: /s/ Jenny N. Lee  
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Lucent Technologies Inc. and Alcatel-Lucent, S.A